

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Libertarian Party of Georgia,
et al.

Plaintiffs,

vs.

Christopher M. Carr, et al.,

Defendants.

Case No. 1:24-cv-05763-MHC

**Plaintiffs' Motion to
Expedite or, in the
alternative, to Set an
Answer Deadline**

The plaintiffs respectfully move the Court to expedite consideration of the defendants' pending motion to dismiss (ECF 20), or, in the alternative, to set an answer deadline.

This is a challenge to certain provisions of the Georgia Government Transparency and Campaign Finance Act, O.C.G.A. § 21-5-1 *et seq.*, The plaintiffs filed this action against state officials on December 16, 2024. (ECF 1.) The defendants moved to dismiss, and the plaintiffs filed an amended complaint on March 11, 2025. (ECF 18.) The

defendants then moved to dismiss the amended complaint two weeks later. (ECF 20.) The plaintiffs filed their opposition to that motion on April 3 (ECF 19), and the defendants didn't file a reply. The motion was thus fully submitted on or about April 17.

Under Rule 12 of the Federal Rules of Civil Procedure, the defendants' motion to dismiss has suspended the defendants' answer deadline until 14 days after the Court rules on that motion or postpones its disposition until trial. Fed. R. Civ. P. 12(a)(4). And, under Local Rule 26.2, the discovery period will not begin until 30 days after the defendants file their answer. N.D. Ga. L. R. 26.2(A). The case is thus on hold indefinitely.

Good cause exists to expedite this case because it involves time-sensitive and important election matters. Specifically, the case involves state campaign-finance laws which apply to two statewide special elections being held in 2025 and to a full slate of elections for constitutional officers and state legislators in 2026. While this is not likely to be a discovery-intensive case, the case won't even begin to proceed to trial until the defendants file their answer.

For that reason, the plaintiffs respectfully ask the Court to expedite its consideration of the defendants' motion to dismiss. Denying that motion will start the answer clock.

Alternatively, the plaintiffs respectfully ask the Court to exercise its discretion under Rule 12 to "set[] a different time" for the defendants to file their answer. Fed. R. Civ. P. 12(a)(4). The Court should order the defendants to file their answer within 14 days after the Court grants this motion. That, too, would start the answer clock, and it would allow the case to move forward while the Court continues to consider the defendants' motion to dismiss.

The undersigned counsel for the plaintiffs contacted the defendants' attorney last Thursday morning but has not yet been advised of the defendants' position on this motion.

Respectfully submitted this 5th day of May, 2025.

/s/ **Bryan L. Sells**

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Certificate of Compliance

I hereby certify that the foregoing document was prepared in 13-point Century Schoolbook in compliance with Local Rules 5.1(C) and 7.1(D).

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